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Patents and Trademarks

March 17, 2003

**CONFIRMING OUR FAX**  
VIA FACSIMILE  
703/308-6916



Paul Shanowski, Petitions Attorney  
U.S. Patent and Trademark Office  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy  
BOX DAC  
Washington, DC 20231

Re: Petitions Filed for Application  
Serial No.: 10/056,178  
Our ref: CALY-012

**RECEIVED**  
MAR 25 2003  
OFFICE OF PETITIONS

Dear Mr. Shanowski:

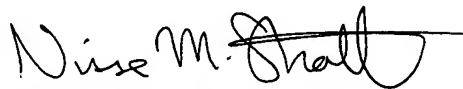
I spoke with you Wednesday, March 12, about petitions to file on behalf of a non-signing inventor (37 C.F.R. § 1.47(a)) and to revive an unavoidably abandoned application (37 C.F.R. § 1.137(a)) we had filed on March 6, 2003. At that time, I told you that a few days after we had filed these petitions, we received a signed declaration for the application in question from the non-signing inventor (we had requested that he send us this material by February 15, 2003 and he sent it to us on March 6, 2003). You told me to fax you the signed declaration and that you would render the petition under 37 C.F.R. § 1.47(a) moot. Attached to this fax is the signed declaration. Please render the petition under 37 C.F.R. § 1.47(a) moot. However, we wish the petition under 37 C.F.R. § 1.137(a) to still be considered.

Many of our arguments regarding why this application was unavoidably abandoned are contained in the petition under 37 C.F.R. § 1.47(a). Please refer to this petition's statement of

facts when considering our petition to revive. Also, when considering the petition to revive, please substitute the signed declaration for the petition under 37 C.F.R. § 1.47(a) as the required reply to the Notice to File Missing Parts.

If you have any questions or comments, please feel free to contact me at (408) 297-9733. Thank you for your assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Nissa M. Strottman", with a horizontal line extending from the end of the signature.

Nissa M. Strottman

NS:sa

Encl: Declaration

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